

MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT
PLEA AND
SENTENCEFiled in Open Court: Date: 9/21/2022 Time: 1:15 p.m. FTR Time in court: ___ Hrs 22 MinMagistrate (presiding): JUSTIN S. ANANDDeputy Clerk: B. EVANSCase Number: 1:22-cr-341Defendant's Name: Demetrius HinesAUSA: Stephen McClainDefendant's Attorney: Sandra Michaels

USPO/PTR: _____

Type Counsel: (x) Retained () CJA () FPD () Waived

___ ARREST DATE: _____

___ INTERPRETER: _____

☒ INITIAL APPEARANCE HEARING. (x) in THIS DISTRICT Dft. In Custody? () Yes (x) No

___ Defendant advised of right to counsel. WAIVER OF COUNSEL filed.

___ ORDER appointing Federal Defender Program as counsel. () INITIAL APPEARANCE ONLY

___ ORDER appointing _____ (State Bar of Ga. # _____) as counsel.

___ ORDER giving defendant _____ days to employ counsel. (cc: serv. by Mag)

___ Dft. to pay attorney fees as follows: _____

☒ INFORMATION/COMPLAINT filed. ☒ WAIVER ON INDICTMENT filed.

___ Copy indictment/information given to dft? () Yes () No Read to dft? () Yes () No.

___ CONSENT TO TRIAL BEFORE MAGISTRATE (MISD/PETTY) offense filed.

☒ ARRAIGNMENT HELD. () superseding indictment/information.

___ ARRAIGNMENT continued until _____ at _____ Request of () Gvt. () Dft.

___ Dft. fails to appear for arraignment. BENCH WARRANT ISSUED _____

☒ Dft. enters PLEA OF NOT GUILTY. () Dft. stood mute plea of NOT GUILTY entered.

___ MOTION TO CHANGE PLEA, and order allowing same.

___ PLEA OF GUILTY/NOLO as to counts _____

___ Petition to enter plea of GUILTY/NOLO filed.

___ NEGOTIATED PLEA between Government and defendant filed.

☒ ASSIGNED TO JUDGE Batten for: () trial () arraignment/sentence.

___ ASSIGNED TO MAGISTRATE _____ for pretrial proceedings.

___ Estimated trial time: _____ days () SHORT () MEDIUM () LONG

☒ See other side.

Demetrius Hines Defendant.

____ CONSENT TO PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued until _____ at _____ for sentencing.

____ Government MOTION FOR DETENTION filed. Hearing set for _____ at

____ Temporary commitment issued.

BOND/PRETRIAL DETENTION HEARING

____ BOND/PRETRIAL DETENTION hearing held.

____ MOTION FOR REDUCTION OF BOND hearing held.

____ MOTION FOR REDUCTION OF BOND () GRANTED () DENIED

____ WRITTEN ORDER TO FOLLOW.

____ GOVERNMENT MOTION FOR DETENTION () GRANTED () DENIED

____ WRITTEN ORDER TO FOLLOW.

x Appearance BOND SET AT \$ 5,000.00

x Non-surety

____ Surety () Cash () Property () Corporate surety ONLY

____ SPECIAL CONDITIONS: _____

x Bond Filed: defendant released.

____ Bond NOT EXECUTED defendant to remain in Marshal's custody.

SENTENCE: _____

x Pursuant to the Due Process Protections Act, see Fed. R. Crim. P. 5(f), the government is ordered to adhere to the disclosure obligations set forth in *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and to provide all materials and information that are arguably favorable to the defendant in compliance with its obligations under *Brady*; *Giglio v. United States*, 405 U.S. 150 (1972); and their progeny. Exculpatory material as defined in *Brady* and *Kyles v. Whitley*, 514 U.S. 419, 434 (1995), shall be provided sufficiently in advance of trial to allow a defendant to use it effectively, and exculpatory information is not limited to information that would constitute admissible evidence. The failure of the government to comply with its Brady obligations in a timely manner may result in serious consequences, including, but not limited to, the suppression or exclusion of evidence, the dismissal of some or all counts, adverse jury instructions, contempt proceedings, or other remedies that are just under the circumstances.